

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

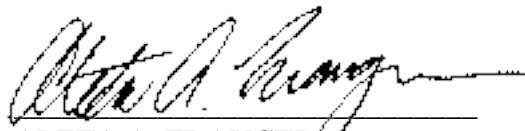
JOHN A VEASY,)
)
Plaintiff,)
) **Case No. 3:11-cv-01179**
v.)
) **Judge Aleta A. Trauger**
TEACH FOR AMERICA,)
)
Defendant.)

ORDER

The defendant has filed a Motion to Dismiss (Docket No. 6) alleging that the Complaint fails to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6). That rule mandates that if such a motion presents matters outside the pleadings, the motion must be treated as one for summary judgment and disposed of under Rule 56. In support of the defendant's Motion to Dismiss (Docket No. 6), the defendant has filed the Declaration of Bradley Leon (Docket No. 6, Ex. A). In support of its Response in opposition to the Motion to Dismiss (Docket No. 9), the plaintiff has attached excerpts from the defendant's website (Docket No. 9 at p. 8; Docket No. 9, Attach. 1). Therefore, this court must treat the Motion to Dismiss as one for summary judgment.

The parties shall have until March 22, 2012 within which to submit any other affidavits or material that would be pertinent to the conversion of the pending motion to one for summary judgment.

It is so ORDERED.



ALETA A. TRAUGER
United States District Judge